

U. S. APPLN. NO. 10/526,542

AMENDMENTS TO THE DRAWINGS

Applicant submits herewith a replacement formal drawing sheet (4/4) in which the reference numeral "21" has been replaced by reference numeral "29" in Fig. 6.

Attachment: Replacement Sheet - 4/4

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**REMARKS**

With an attentive consideration on the Office Action, the following amendments and response are done in order to overcome the problems posed therein.

**Objections 1-2: For the specification**

The specification is restored to the original state, this is, the original text of the specification of US 2005/0269146 A1, in this situation, the problems mentioned in the Objections 1-2 are resolved out respectively.

**Objection 3: For the claims**

The newly amended claims are based on the original claims published in the publication of US 2005/0269146 A1, and two important modifications are noted as following:

1) The claim 16 is amended in accordance with the original disclosure as such:

**Member (1) for fixing a device for driving a bicycle wheel by friction, comprising  
a fastener (7) connected to an element of the bicycle frame,  
the friction drive device (3) being arranged so as to be able to pivot freely about a  
first pivot pin (4), characterised in that the fixing member also comprises  
a first part (2), to which the drive device is connected so as to be able to pivot freely  
about the said first pivot pin (4),**

**a second part (5), which is connected to the first part (2) so as to allow mutual  
pivoting between them about a second pivot pin (6) [support by the numerated paragraph  
11 of the specification] before clamping and keeping them integral with each other**

*[support by the last sentence in the numerated paragraph 37 of the specification], and which comprises the said fastener (7), at a distance from the said second pivot pin,*

*adjustment means (17-19; 26-27) capable of detachably fixing the first part (2) with respect to the second part (5) in an angular position adjustable by the above mentioned mutual pivoting so that after the adjustment the first part (2) is fixed with respect to the second part (5) [support by the last sentence in the numerated paragraph 37 of the specification, the numerated paragraphs 39, 42], and*

*means (22-25) of modifying the separation between the first pivot pin (4) and the second pivot pin (6) [support by the original claim 3], and therefore adjusting the length between the fastener and the drive device so as to place the drive wheel on the bicycle tyre as advantageously as possible according to the bicycle configuration [support by the numerated paragraph 32 of the specification].*

#### **Objections 4-8: For the patentability**

1. The newly amended claim 16 meets the requirement of 35 U. S. C. 102 and 35 U. S. C. 103.

In fact, in the comparison with the reference document D1 (EP 0155185), the claim 16 comprises at least the following different essential features:

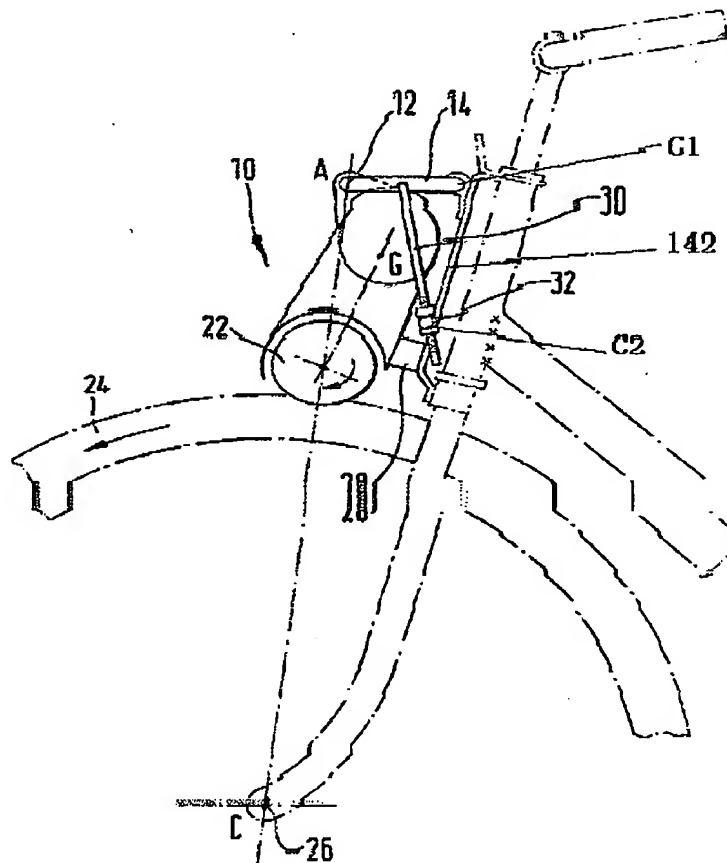
F1: a first part (2), which is connected to the second part (5) so as to allow mutual pivoting between them about a second pivot pin (6) before clamping and keeping them integral with each other;

F2: adjustment means (17-19; 26-27) capable of detachably fixing the first part (2) with respect to the second part (5) in an angular position adjustable by the above mentioned mutual

pivoting so that after the adjustment the first part (2) is fixed with respect to the second part (5);

F3i means (22-25) of modifying the separation between the first pivot pin (4) and the second pivot pin (6), and therefore adjusting the length between the fastener and the drive device so as to place the drive wheel on the bicycle tyre as advantageously as possible according to the bicycle configuration;

In truth, it is to be seen clearly from the figures and specification of D1:



The figure 2 of D1

a) The difference in the specific definition of the first part

From the figure 1 of D1 to be seen clearly, the first part 14 is connected to the second part 142 by two connections: the pivot pin C1 as a first connection, and the adjusting rod-nuts C2 (represented by the number 30, 32) as a second connection. That is, the first part 14 is pivoted in relative to the second part 142 with two constraints C1 and C2.

In the said claim 16, the different feature F1 clearly indicates that the connection between the first part (2) and the second part (5) is different to the one of D1, that is, the first part (2) is pivoted in relative to the second part (5) with one constraint (6). And to be note that the orifice 17 extends in an arc of curvature having as its centre the second pivot pin 6 [see the numerated paragraph 37 of US 2005/0269146 A1], then the holding means 19 doesn't form another constraint to the pivoting of the first part (2).

Furthermore, in the claim 16, the pivoting of the first part (2) is defined specifically with the feature "before clamping and keeping the first part (2) and the second part (5) integral with each other", that is, during the montage, the first part (2) is pivoted in relative to the second part (5), and during the usage, the first part (2) and the second part (5) are clamped and kept as integral with each other.

However, in D1, during the montage as well as the usage, the pivot pins of the two connection C1 and C2 aren't clamped neither.

b) The different function of the adjustment means

In D1, the adjustment means 30, 32 hasn't the function of fixing the first part 14 with respect to the second part 142. In fact, from the figures 2 and 3 of D1 to be seen clearly, the two connection points must be the articulations rotatable, therefore, before and after adjusting, the first connection C1 always is mobile, then the first part 14 is always mobile with respect to the second part 142. On the other hand, the first part 14, the second part 142 and the adjusting rod 30 form a articulated triangle, and owing that neither connection point is fixed, the shape of the triangle is variable.

However, in the said claim 16, according to the different feature F2, after adjusting, the first part 14 is fixed with respect to the second part 142.

c) The different distance between the first pivot pin and the second pivot pin

In fact, the technical solutions of D1 don't comprise means of modifying the separation.

In the said claim 16, according to the above said different feature F3, the fixing member comprises means of modifying the separation.

In this context, the technical solution of the claim 16 isn't described in the prior art.

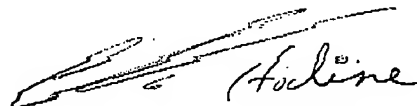
In combination with the reference documents D1(EP 0155185), D2(FR 2,346,178) and D3(DE 299 21 956), for the person skilled in the art, it isn't obvious to obtain the technical solution claimed in the amended claim 16.

With the same reason, the dependent claims of the claim 16 are also not obvious in view of the combination of D1, D2 and D3.

And applicant here requests the Examiner to withdraw the objections in the outstanding Office Action.



GILLES MOTTE DIT FALISSE  
RUE DE BONCELLES 794  
4102 LIEGE\_OUGREE  
BELGIUM  
FAX : 0032-4-253-0252  
DATE : 26. NOV. 2007



Respectfully submitted,

Gilles MOTTE DIT FALISSE